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ROWELL RANCH RODEO INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JOSEPH P. CUVIELLO and DENIZ BOLBOL, individually,

Case No.: 3:23-CV-01652

Plaintiffs,

V.

ROWELL RANCH RODEO, INC.;
HAYWARD AREA RECREATION AND
PARK DISTRICT; HAYWARD AREA
RECREATION AND PARK DISTRICT
PUBLIC SAFETY MANAGER/RANGER
KEVIN HART; and DOES 1 through 2, in
their individual and official capacities, jointly
and severally.

**DEFENDANT ROWELL RANCH RODEO,
INC'S RESPONSES TO PLAINTIFF
DENIZ BOLBOL'S INTERROGATORIES,
SET TWO**

Defendants.

Complaint Filed: April 6, 2023
Trial: October 21, 2024

PROPOUNDING PARTY: Plaintiff DENIZ BOJ BOJ

RESPONDING PARTY: Defendant ROWELL RANCH RODEO INC

SET NO.: Two

Pursuant to California Code of Civil Procedure Section 2030.210 and Federal Rule section 33, defendant ROWELL RANCH RODEO INC. (“Defendant”) hereby responds to Plaintiff DENIZ BOLBOL (“Plaintiff”) Interrogatories, Set One as follows:

It should be noted that this responding party has not fully completed its investigation of the facts relating to this action, has not fully completed its discovery in this action, and has not fully

1 completed its preparation for trial. All responses contained herein are based only upon such
 2 information and documents which are presently available to and specifically known to this
 3 responding party and disclose only those contentions which presently occur to such responding
 4 party. It is anticipated that further discovery, independent investigation, legal research and analysis
 5 may provide additional facts, add meaning to the known facts, as well as establish entirely new
 6 factual conclusions and legal contentions, all of which may lead to substantial additions to,
 7 modifications in, and variations from the contentions and responses set forth herein.

8 The following interrogatory responses are provided without prejudice to defendant's right
 9 to produce at the time of trial subsequently discovered evidence relating to the proof of presently
 10 known material facts and to produce all evidence, whenever discovered, relating to the proof of
 11 subsequently discovered material facts.

12 Responding party accordingly reserves the right to change any and all answers herein as
 13 additional facts are ascertained, analyses are made, legal research is completed and contentions are
 14 made. The answers contained herein are made in a good faith effort to supply as much factual
 15 information and as much specification of legal contentions as is presently known, but should in no
 16 way be to the prejudice of this party in relation to further discovery, research or analysis.

17 This general objection, that discovery and investigation are just beginning, is applicable to
 18 each and every interrogatory responded to herein. Accordingly, it will not be repeated for each
 19 interrogatory, but will be incorporated hereby in each response by this reference.

20 Each response is subject to all appropriate objections (including, but not limited to,
 21 objections concerning competency, relevancy, materiality, propriety, and admissibility) which
 22 would require the exclusion of any statement contained herein if made by a witness present and
 23 testifying in court. Moreover, defendant objects to each and every interrogatory to the extent it
 24 seeks confidential material protected by the attorney-client privilege or improperly seeking the
 25 work product of any attorney retained, or employed, by defendant. All such objections and grounds
 26 are reserved, and may be interposed at the time of trial.

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 28

RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 28:

IDENTIFY the person who called the SHERIFF'S OFFICE on May 20, 2022 regarding Plaintiffs' demonstration.

RESPONSE TO REQUEST NO. 28:

Defendant Rowell Ranch Rodeo, Inc (“Rowell Ranch”) objects to this interrogatory on the grounds that it seeks information that is neither relevant to this action, nor reasonably likely to lead to the discovery of admissible evidence. Rowell Ranch objects to the interrogatory because it seeks information that is private and confidential in nature and implicates the privacy rights of third parties.

Subject to and without waiving objections, Rowell Ranch states that based on information and belief, Rowell Ranch volunteer Gary Houts.

INTERROGATORY NO. 29:

DESCRIBE why the person IDENTIFIED in Interrogatory No. 28 called the SHERIFF'S Office on May 20, 2022 regarding Plaintiff's demonstration.

RESPONSE TO REQUEST NO. 29:

Rowell Ranch objects to this interrogatory on the grounds that it is overbroad and burdensome. Rowell Ranch objects to this interrogatory on the grounds that it seeks information that is neither relevant to this action, nor reasonably likely to lead to the discovery of admissible evidence. Rowell Ranch objects to the interrogatory because it seeks information that is private and confidential in nature and implicates the privacy rights of third parties. Rowell Ranch objects because the request seeks information that may be protected by the attorney-client privilege and the attorney work product doctrine. *Nacht & Lewis Architects, Inc. v. Superior Court* (1996) 47 Cal.App.4th 214, 217; *Coito v. Superior Court* (2012) 54 Cal.4th 480.

Subject to and without waiving objections, Rowell Ranch states that based on information and belief Rowell Ranch volunteer Gary Houts called the Sheriff's Office because Plaintiffs were not using the designated Free Speech Area, and were blocking the path for people

1 **INTERROGATORY NO. 30:**

2 DESCRIBE the COMMUNICATION between the person IDENTIFIED in Interrogatory
 3 No. 28 and the SHERIFF'S Office on May 20, 2022, regarding Plaintiff's demonstration.

4 **RESPONSE TO REQUEST NO. 30:**

5 Rowell Ranch objects to this interrogatory on the grounds that it is overbroad and
 6 burdensome. Rowell Ranch objects to this interrogatory on the grounds that it seeks information
 7 that is neither relevant to this action, nor reasonably likely to lead to the discovery of admissible
 8 evidence. Rowell Ranch objects to the interrogatory because it seeks information that is private
 9 and confidential in nature and implicates the privacy rights of third parties. Rowell Ranch objects
 10 because the request seeks information that may be protected by the attorney-client privilege and
 11 the attorney work product doctrine. *Nacht & Lewis Architects, Inc. v. Superior Court* (1996) 47
 12 Cal.App.4th 214, 217; *Coito v. Superior Court* (2012) 54 Cal.4th 480.

13 Subject to and without waiving objections, Rowell Ranch states that based on information
 14 and belief Rowell Ranch volunteer Gary Houts stated the following in the call: (i) he is not sure
 15 who he needs to call; (ii) he has people he needs moved; (iii) the people need to be moved because
 16 they already have a free speech area and they are blocking the parking access; (iv) that there are
 17 two (2) white people – one (1) male in a purple shirt and one (1) female in a green shirt; (v) they
 18 have signs; (vi) he does not see any weapons; and (vii) there is a rodeo going on. The female on the
 19 other end states that they will be there as soon as they can.

20 **INTERROGATORY NO. 31:**

21 IDENTIFY the name of the mobile phone carrier company used by the individual identified
 22 in Interrogatory No. 28 to make the phone call to the SHERIFF'S Office on May 20, 2022, as
 23 referenced in Plaintiff's request for temporary injunctive relief, Exhibit D, Part 2 at timestamp
 24 2:30. (ECF 28-4.)

25 **RESPONSE TO REQUEST NO. 31:**

26 Rowell Ranch objects to this interrogatory on the grounds that it is overbroad and
 27 burdensome. Rowell Ranch objects to this interrogatory on the grounds that it seeks information
 28 that is neither relevant to this action, nor reasonably likely to lead to the discovery of admissible

1 evidence. Rowell Ranch objects to the interrogatory because it seeks information that is private
 2 and confidential in nature and implicates the privacy rights of third parties. Rowell Ranch objects
 3 because the request seeks information that may be protected by the attorney-client privilege and
 4 the attorney work product doctrine. *Nacht & Lewis Architects, Inc. v. Superior Court* (1996) 47
 5 Cal.App.4th 214, 217; *Coito v. Superior Court* (2012) 54 Cal.4th 480.

6 Subject to and without waiving objections, Rowell Ranch states that based on information
 7 and belief Rowell Ranch volunteer Gary Houts uses the mobile phone carrier Verizon.

8 **INTERROGATORY NO. 32:**

9 IDENTIFY the phone number of the mobile device used by the individual identified in
 10 Interrogatory No. 28 to make the phone call to the SHERIFF'S Office on May 20, 2022, as
 11 referenced in Plaintiff's request for temporary injunctive relief, Exhibit D, Part 2 at timestamp
 12 2:30. (ECF 28-4.)

13 **RESPONSE TO REQUEST NO. 32:**

14 Rowell Ranch objects to this interrogatory on the grounds that it is overbroad and
 15 burdensome. Rowell Ranch objects to this interrogatory on the grounds that it seeks information
 16 that is neither relevant to this action, nor reasonably likely to lead to the discovery of admissible
 17 evidence. Rowell Ranch objects to the interrogatory because it seeks information that is private
 18 and confidential in nature and implicates the privacy rights of third parties. Rowell Ranch objects
 19 because the request seeks information that may be protected by the attorney-client privilege and
 20 the attorney work product doctrine. *Nacht & Lewis Architects, Inc. v. Superior Court* (1996) 47
 21 Cal.App.4th 214, 217; *Coito v. Superior Court* (2012) 54 Cal.4th 480.

22 Subject to and without waiving objections, Rowell Ranch states that it has located the
 23 mobile phone number of Rowell Ranch volunteer Gary Houts but it is confidential and will only
 24 be produced upon the execution and filing of the Stipulated Protective Order, a copy of which is
 25 attached hereto, regarding the use of confidential information within this lawsuit.

26 **INTERROGATORY NO. 33:**

27 DESCRIBE the relationship of the person identified in Interrogatory No. 28 to the Rowell
 28 Ranch Rodeo, including their function during the 2020 Events.

1 **RESPONSE TO REQUEST NO. 33:**

2 Rowell Ranch objects to this interrogatory on the grounds that it seeks information that is
 3 neither relevant to this action, nor reasonably likely to lead to the discovery of admissible evidence.

4 Subject to and without waiving objections, Rowell Ranch states that based on information
 5 and belief Gary Houts is a volunteer for Rowell Ranch.

6 **INTERROGATORY NO. 34:**

7 DESCRIBE the conversation between DOE DEFENDANT 1 and Brian Morrison during
 8 the telephone call Defendant Rowell Ranch Rodeo, Inc. referenced in “Response of Rowell Ranch
 9 Rodeo to Plaintiff Deniz Bolbol’s Interrogatories to Rowell Ranch Rodeo, Inc., Set One,”
 10 Interrogatory No. 23.

11 **RESPONSE TO REQUEST NO. 34:**

12 Rowell Ranch objects to this interrogatory on the grounds that it is overbroad and
 13 burdensome. Rowell Ranch objects to this interrogatory on the grounds that it seeks information
 14 that is neither relevant to this action, nor reasonably likely to lead to the discovery of admissible
 15 evidence. Rowell Ranch objects to the interrogatory because it seeks information that is private
 16 and confidential in nature and implicates the privacy rights of third parties. Rowell Ranch objects
 17 because the request seeks information that may be protected by the attorney-client privilege and
 18 the attorney work product doctrine. *Nacht & Lewis Architects, Inc. v. Superior Court* (1996) 47
 19 Cal.App.4th 214, 217; *Coito v. Superior Court* (2012) 54 Cal.4th 480.

20 Subject to and without waiving objections, Rowell Ranch states that based on more recent
 21 information, it believes that this conversation did not occur.

22 **INTERROGATORY NO. 35:**

23 IDENTIFY the name of the mobile phone carrier company used by DOE DEFENDANT 1
 24 to make the phone call to Brian Morrison on May 20, 2022, as referenced in Interrogatory No. 34.

25 **RESPONSE TO REQUEST NO. 35:**

26 Rowell Ranch objects to this interrogatory on the grounds that it is overbroad and
 27 burdensome. Rowell Ranch objects to this interrogatory on the grounds that it seeks information
 28 that is neither relevant to this action, nor reasonably likely to lead to the discovery of admissible

1 evidence. Rowell Ranch objects to the interrogatory because it seeks information that is private
 2 and confidential in nature and implicates the privacy rights of third parties. Rowell Ranch objects
 3 because the request seeks information that may be protected by the attorney-client privilege and
 4 the attorney work product doctrine. *Nacht & Lewis Architects, Inc. v. Superior Court* (1996) 47
 5 Cal.App.4th 214, 217; *Coito v. Superior Court* (2012) 54 Cal.4th 480.

6 Subject to and without waiving objections, Rowell Ranch states that based on information
 7 and belief Rowell Ranch volunteer Gary Houts uses the mobile phone carrier Verizon.

8 **INTERROGATORY NO. 36:**

9 IDENTIFY the name of the mobile phone carrier company used by Brian Morrison to
 10 receive the phone call from DOE DEFENDANT 1 on May 20, 2022, as referenced in Interrogatory
 11 No. 34.

12 **RESPONSE TO REQUEST NO. 36:**

13 Rowell Ranch objects to this interrogatory on the grounds that it is overbroad and
 14 burdensome. Rowell Ranch objects to this interrogatory on the grounds that it seeks information
 15 that is neither relevant to this action, nor reasonably likely to lead to the discovery of admissible
 16 evidence. Rowell Ranch objects to the interrogatory because it seeks information that is private
 17 and confidential in nature and implicates the privacy rights of third parties. Rowell Ranch objects
 18 because the request seeks information that may be protected by the attorney-client privilege and
 19 the attorney work product doctrine. *Nacht & Lewis Architects, Inc. v. Superior Court* (1996) 47
 20 Cal.App.4th 214, 217; *Coito v. Superior Court* (2012) 54 Cal.4th 480.

21 Subject to and without waiving objections, Rowell Ranch states that based on
 22 information and belief, Brian Morrison uses the mobile phone carrier Verizon.

23 Dated: January 5, 2024

GORDON REES SCULLY MANSUKHANI, LLP

24 By:

25 Paul Caleo
 26 Osmaan Khan
 27 Attorneys for Defendant
 28 ROWELL RANCH RODEO INC.

VERIFICATION

I, Paul Martin, declare:

I am the authorized Director of ROWELL RANCH RODEO INC, ET AL, which is the Defendant in the *Cuviello, et al. v. Rowell Ranch Rodeo Inc., et al.* action, and I have been authorized to make this verification on its behalf.

I have read the foregoing **DEFENDANT ROWELL RANCH RODEO, INC'S**
RESPONSES TO SPECIAL INTERROGATORIES, SET ONE

on file herein and know the contents thereof. To the extent I have personal knowledge of the matters set forth therein, the same are true and correct. Insofar as said matters are a composite of the information of many individuals, I do not have personal knowledge concerning all of the information contained in said response, but I am informed and believe that the information set forth therein for which I lack personal knowledge is true and correct.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Pleasanton, California on January 5, 2024.

Name: Paul Martin

PROOF OF SERVICE

Cuviello, et al. v. Rowell Ranch Rodeo Inc., et al.

USDC - Northern District of California, Case No. 3:23-CV-01652

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is: Gordon Rees Scully Mansukhani, LLP 275 Battery Street, Suite 2000 San Francisco, CA 94111. On the date set forth below, I served the within documents:

DEFENDANT ROWELL RANCH RODEO, INC'S RESPONSES TO PLAINTIFF DENIZ BOLBOL'S INTERROGATORIES, SET TWO

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- VIA E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent by electronically mailing a true and correct copy through the Gordon Rees Scully Mansukhani, LLP electronic mail system from my email address: khernandez@grsm.com, to the email address(s) set forth herein.
- by having Nationwide PERSONALLY DELIVER the document(s) listed above to the person(s) at the address(es) set forth below.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in United States mail in the State of California at San Francisco, addressed as set forth below.
- by placing a true copy thereof enclosed in a sealed envelope, at a station designated for collection and processing of envelopes and packages for overnight delivery by FEDEX as part of the ordinary business practices of Gordon Rees Scully Mansukhani, LLP described below, addressed as follows:

<p>Attorneys for Plaintiff DENIZ BOLBOL</p> <p>Lily Rivo, Esq. GREENFIRE LAW, PC 2748 Adeline Street, Suite A Berkeley, CA 94703 Tel: (510) 900-9502 Fax: (510) 900-9502 Email: lrivo@greenfirerlaw.com jblome@greenfirerlaw.com</p>	<p>Plaintiff In Pro Per</p> <p>Joseph P. Cuvieillo 205 De Anza Blvd. San Mateo, CA 94402</p> <p>P.O. Box 2834 Redwood City, CA 94064 Tel: (650) 315-3776 Fax: Email: pcuvie@gmail.com</p>
<p>Attorneys for Defendants COUNTY OF ALAMEDA; ALAMEDA COUNTY DEPUTY SHERIFF'S OFFICE; and JOSHUA MAYFIELD</p> <p>William B. Rowell, Esq. Thiele R. Dunaway, Esq. Marc Brainich, Esq. Michele C. Kirrane, Esq. FENNEMORE WENDEL 1111 Broadway, 24th Floor Oakland, CA 94607</p>	<p>Attorneys for Defendants HAYWARD AREA RECREATION AND PARK DISTRICT, and KEVIN HART</p> <p>Dale L. Allen, Jr., Esq. Nicholas D. Syren, Esq. ALLEN, GLAESNER, HAZELWOOD & WERTH, LLP 180 Montgomery Street, Suite 1200 San Francisco, CA 94104 Tel: (415) 697-2000</p>

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 5, 2024 at San Francisco, California.



Kristie Hernandez

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